



Construction Complaints Management System

[SM-20-00139070]

Metro Body of Knowledge (MBoK)

Applicable to:	Sydney Metro West/Western Sydney Airport
Document Owner:	Tim Garrard
System Owner:	Tim Garrard
Status:	Final
Version:	#5
Date of issue:	5 September 2025
Review date:	5 September 2025
© Sydney Metro 2025	

Revision	Revision date	Status	Brief reason for update	Name/ position/ company	Author/ Reviewer/ Approver	Signature
1	15/12/2020	Final	N/A	Mirjana Vidovic	Approver	<i>Mirjana Vidovic</i>
2	15/12/21	Draft	Review and update	Rebecca Pearson	Reviewer	<i>Rebecca Pearson</i>
2	05/02/22	Final	Approval of review and update	Anita Brown	Approver	<i>Anita Brown</i>
3	18/10/2023	Draft	Update to unreasonable conduct by complainants' procedure and general review and update	Bernice Kelly	Reviewer	<i>Bernice Kelly</i>
3	20/10/2023	Final	Approval of update to unreasonable conduct by complainants' procedure and general review and update	Anita Brown	Approver	<i>Anita Brown</i>
4	21/07/2024	Draft	Approval of update to NSW Government Department names	Bernice Kelly	Reviewer	<i>Bernice Kelly</i>
4	31/07/2024	Final	Approval of update to NSW Government Department names	Tim Garrard	Approver	<i>Tim Garrard</i>
5	05/09/2025	Draft	Update to NSW Government Department and project names	Blake Barratt	Reviewer	<i>Blake Barratt</i>
5	05/09/2025	Final	Approval of update to NSW Government Department and project names	Anne Patawaran	Approver	<i>Anne Patawaran</i>

Table of contents

	Construction Complaints Management System	1
1.	Construction complaints management system	5
1.1.	Document purpose	5
1.2.	Responsibilities.....	5
1.3.	Conditions of approval	8
1.4.	Complaints handling	8
1.4.1.	Accessibility	8
1.4.2.	Responsiveness	8
1.4.3.	Confidentiality	9
1.4.4.	Continual improvement	9
2.	Receiving complaints.....	9
3.	Classification of complaints	11
3.1.	Unavoidable complaints.....	11
3.2.	Avoidable complaints.....	11
3.3.	Determining an unavoidable complaint	12
3.4.	Resolving classification.....	12
4.	Responding to complaints	12
4.1.	Receiving a complaint.....	12
4.2.	Referring complaints.....	13
4.3.	Responding to complaints.....	15
4.4.	Managing unreasonable conduct by complainants.....	16
4.4.1.	Defining unreasonable conduct by complainants	16
4.4.2.	Minimising unreasonable conduct by complainants	17
4.4.3.	Determining unreasonable conduct by complainants	17
4.4.4.	Managing unreasonable conduct by a complainant process	19
5.	Complaint escalation process.....	20
5.1.	When to escalate a complaint	20
5.1.1.	How to escalate a complaint	21
5.2.	Role of Environmental Representative.....	21
5.3.	Role of independent mediation	22
5.3.1.	Complaints related to compliance	23
5.3.2.	How to refer a complaint to mediation	24
6.	Complaints Register	24
6.1.	Complaint identification number.....	24
6.2.	Community engagement database	25
7.	Reporting on complaints	25
7.1.	Daily reporting to Sydney Metro.....	25
7.2.	Reporting to the NSW EPA.....	25

7.3.	Reporting to the DPHI.....	25
7.4.	Reporting on on-airport works.....	25

1. Construction complaints management system

1.1. Document purpose

This document forms part of the Sydney Metro Communication and Engagement Management System. Its purpose is to outline the procedure for managing complaints across Sydney Metro West, Sydney International Speedway (construction related complaints) and Sydney Metro – Western Sydney Airport. This includes:

- Receiving complaints
- Classifying complaints
- Responding to complaints
- Managing unreasonable conduct
- Escalation
- Mediation
- Recording complaints
- Reporting

This construction complaints management system will be reviewed annually and reissued as required.

1.2. Responsibilities

Complaints handling is the responsibility of all team members who come into contact with the community and stakeholders. The Director, Project Communications is the designated complaints handling management representative for the escalation of complaints.

Table 1: Responsibilities for complaints

Role/Organisation	Responsibility
Environmental Representative	• Assist in resolving complaints in accordance with this document. • Investigate and review any complaint escalated by the Director, Project Communications where a member of the public is not satisfied with the response. • Provide recommendations to Sydney Metro to assist in resolving the complaints that may include mediation services.
Acoustic Advisor (where required by planning approval)	• Assist in resolving complaints in accordance with this document.
Independent mediation (as required)	• Provide mediation services deemed relevant to any complaint escalated by the Director, Project Communications or the Environmental Representative. • Request advice from the Environmental Representative, Acoustic Advisor (if required by planning approval) or any other subject matter expert as required to assist in the effective provision of mediation services.

Sydney Metro Project Communications team	• Manage Sydney Metro 24-hour call centre. • Implement the Construction Complaints Management System (this document). • Treat all people with respect. • Assist people to make a complaint where required. • Provide feedback and suggestions on ways to improve complaint management. • Implement changes arising from complaints and from the analysis and evaluation of complaint data as advised by senior managers. • Forward relevant complaints to contractors, Sydney Trains/Transport for NSW/Parramatta Light Rail/WestConnex/Western Sydney International Airport immediately. • Investigate and determine the source of a complaint, including an initial call to the complainant if more information about the complaint is needed (when received by phone or where a telephone number was provided or is available on the community engagement database). • Provide an initial response to all complaints within two hours (where a phone number is provided or is available on the community engagement database) of the complaint being received (unless provisions in Section 4.4 apply). • Provide a written response to emails, letters/faxes within 24 hours (or verbally within two hours if a phone number is provided or available on the community engagement database) of being received (unless provisions in Section 4.4 apply). • Keep the complainant informed about the progress of their complaint, if necessary. • Close out complaints. • Provide advice and guidance on complaint management to contractors and ensure they take all reasonable steps to address complaints, implement recommendations, mitigate impacts and reduce or prevent future complaints. • Ensure that contractors have exhausted all internal avenues for resolving complaints (as outlined in Section 5.1.1.) PRIOR to escalation to the Director, Project Communications. • Report and escalate any unreasonable conduct by complainants to the Director, Project Communications (as outlined in Section 4.4). • Escalate complaints in accordance with the Construction Complaints Management System (this document). • Record all complaints in the community engagement database within 24 hours, in accordance with the data entry procedure. Details should include how the complaints were managed and closed out.
Contractor delivery communication teams	• Answer all phone calls transferred by the call centre from the community information line (calls to be answered by a team member 24/7, not an answering machine, while construction activities are occurring). • Develop and implement procedures for managing and resolving stakeholder and community complaints directed to the contractor in accordance with the Construction Complaints Management System (this document) and the relevant projects' Conditions of Approval. • Refer complaints not associated with contractor activities to the Sydney Metro Project Communications team immediately. • Investigate and determine the source of a complaint, including an initial call to the complainant if more information about the complaint is needed (when received by phone or where a telephone number was provided or is available on the community engagement database).

	• Provide an initial verbal response to all complaints within two hours (where a phone number is provided or is available on the community engagement database) of the complaint being received (unless provisions in Section 4.4 apply) • Provide a written response to emails, letters/faxes within 24 hours (or verbally within two hours if a phone number is provided or available on the community engagement database) of being received (unless provisions in Section 4.4 apply) • Keep the complainant informed about the progress of their complaint until it is resolved. • Respond to requests for information from the Sydney Metro Project Communications team or the Environmental Representative, Acoustic Advisor or mediator within two hours. • Comply with the advice, guidance and processes of the Sydney Metro Project Communications team and/or the Environmental Representative, Acoustic Advisor or mediator at all stages of the complaints management and complaints escalation (if applicable) process. • Take all reasonable actions and measures to prevent reoccurring complaints, including incorporating recommendations made during any escalation or review processes. • Close out complaints. • Escalate complaints in accordance with the Construction Complaints Management System (this document). • Report and escalate any unreasonable conduct by complainants to Sydney Metro (as outlined in Section 4.4). • Report any complaints received to the Sydney Metro Project Communications team and the Environmental Representative on a daily basis. • Record all complaints in the community engagement database within 24 hours. Details should include how the complaints were managed and closed out.
Sydney Trains/Transport for NSW/Parramatta Light Rail/WestConnex	• Refer complaints received about Sydney Metro work to Sydney Metro for investigation and resolution. • Assist in resolving complaints where work may overlap in the rail corridor.
Western Sydney International Airport	• Refer complaints received about Sydney Metro work to Sydney Metro to be investigated and resolved. • Assist in resolving complaints where work may overlap in the rail corridor. • Investigate and review any complaint escalated by the Director, Project Communications where a member of the public is not satisfied with the response. • Provide recommendations to Sydney Metro to assist in resolving complaints that may include mediation services.
Greater Sydney Parklands/Speedway Promotions	• Refer construction related complaints to Sydney Metro to be resolved. • Investigate and resolve complaints related to operation of Sydney International Speedway. • Implement Operations Complaints Management System and Operations Complaints Register. • Provide relevant information to Sydney Metro for entry into Sydney Metro Complaints Management Register.
Department of Planning, Housing and Infrastructure	• Refer complaints received about Sydney Metro work to the Sydney Metro Project Communications team for investigation and resolution in the first instance.

and NSW Environment Protection Authority and local Councils	
--	--

1.3. Conditions of approval

Each project's approval is expected to have requirements around complaints handling including the creation of a Construction Complaints Management System. This document fulfils these requirements for Approvals related to the following projects:

- Sydney Metro West
- Sydney International Speedway
- Sydney Metro - Western Sydney Airport

Sydney Metro will manage construction related complaints for Sydney International Speedway. Complaints related to operations will be managed by the landowner Greater Sydney Parklands and venue operator Speedway Promotions.

1.4. Complaints handling

Sydney Metro's approach to managing complaints is based on the following guiding principles:

1.4.1. Accessibility

All Sydney Metro public materials will direct stakeholders wishing to make a complaint to use our:

- Community information line
- Community email address
- Project postal address
- Form on the Sydney Metro website.

1.4.2. Responsiveness

Our responsibilities for complaint handling include:

- Investigate and determine the source of a complaint, including an initial call to the complainant if more information about the complaint is needed (when received by phone or where a telephone number was provided or is available on the community engagement database).

- Provide an initial response to all complaints within two hours (where a phone number is provided or available on the community engagement database) of the complaint being received (unless provisions in Section 4.4 apply).
- Keep the complainant informed about the progress of their complaint, if necessary.

All complaints will be managed on a case-by-case basis. There may be occasions where the above steps cannot be followed, such as when the health, safety and wellbeing of our staff and/or contractor delivery teams are at risk.

1.4.3. Confidentiality

Personal information that identifies individuals will only be disclosed or used by Sydney Metro as permitted under the relevant privacy legislation, secrecy provisions and any relevant confidentiality obligations. Sydney Metro may disclose complainant information to its contractors, employees and agents and other third parties as necessary from time to time in accordance with the [Sydney Metro Complaints Privacy Collection Notice](#). Personal information may also be forwarded to Government agencies to allow them to undertake their regulatory duties.

A stakeholder's contact information along with their complaint will be recorded for the purposes of addressing their complaint. If they wish to remain anonymous, the complaint will be registered as an 'Anonymous' stakeholder for record keeping and reporting purposes.

Any complaints management process undertaken by the independent advisors will be subject to confidentiality provisions. These provisions will be explained to all parties involved.

1.4.4. Continual improvement

This Construction Complaints Management System will be reviewed and reissued annually, or as required. A review of processes and customer feedback will be incorporated to ensure continual improvement.

2. Receiving complaints

Sydney Metro has established the following tools for receiving complaints from the community. At a minimum, the Sydney Metro telephone number, postal address and email address will be provided on the Sydney Metro website.

Contractors will be encouraged to develop other innovative ways to distribute these tools to the community.

Table 2: Community contact tools

Tools	Explanation and purpose
Community information line	This allows stakeholders and the community to have access to the Sydney Metro project teams 24 hours a day during construction. All communication materials and the website will include the relevant community information line number. • Sydney Metro West – 1800 612 173 • Sydney Metro - Western Sydney Airport – 1800 717 703 During construction, community calls will be redirected to the relevant contractors as required.
Community email addresses	These allow stakeholders and the community to have access to the Sydney Metro Project Communications teams. All communication materials and the website will include the relevant Sydney Metro community email address. • Sydney Metro West – sydneymetrowest@transport.nsw.gov.au • Sydney International Speedway - sydneymetrowest@transport.nsw.gov.au ○ Sydney Metro - Western Sydney Airport – sydneymetrowsa@transport.nsw.gov.au During construction, community emails will be redirected to the relevant contractors as required.
Community post box	This central postal address allows stakeholders and the community to have access to the Sydney Metro project teams. The website will include a central Sydney Metro community postal address. Correspondence will be redirected to the relevant project teams and contractors as required. • Sydney Metro - PO Box K659, Haymarket, NSW 1240
Sydney Metro website	Information about the project will be available on the Sydney Metro website. The website will be referenced in all communication materials as a source of information and will be updated on a regular basis. Information will include: • Project information including: – Description of the project, current status and timing – Newsletters – Notifications – Up-to-date project information – Graphics and images on the project background and progress – Copies of relevant reports – Photos, images and maps – Links to documents as required under the relevant projects Conditions of Approval – A link to Sydney Metro contractor webpages • Contact information and web form available at: sydneymetro.info/get-touch

3. Classification of complaints

The Australian and New Zealand Standard Guidelines for complaint management in organisations AS/NZS 10002:2014 (AS/NZS Complaint Management Standard) defines complaints as an:

Expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

Based upon this standard a complaint includes:

- A complaint about conduct, service, or product
- An internal review of a complaint – request a review of the merits of a decision
- An internal review about how a complaint was handled
- An external review of a complaint or how the complaint was handled

Sydney Metro classifies complaints into two categories for reporting purposes:

- Unavoidable complaints
- Avoidable complaints

The main aim of these complaint categories is to record complaints received, but not unfairly penalise our contractors for complaints received about works they have approval to do.

3.1. Unavoidable complaints

Unavoidable complaints include but are not limited to a stakeholder's opposition to the project or government policy or complaints about issues that are within project planning approvals.

For example:

- A complaint about noise generated at night when planning approval has been granted for night works and the noise generated is within approved criteria.
- A complaint about how traffic is being controlled when the approved Traffic Management Plan is being implemented.

3.2. Avoidable complaints

Complaints about issues outside planning approval, or a commitment that has been given to the community or stakeholders. These commitments may be contained in staff inductions or written notifications.

For example:

- A complaint about noise at night where work is being performed outside of the approved criteria. For example: work outside of approved (or notified) construction hours or approved noise levels.
- A complaint about how traffic is being controlled. Only applies when the approved Traffic Management Plan is not being implemented.
- A complaint about poor worker behaviour, for example: littering, swearing, poor driving behaviour, when an induction has specified that behaviour is not acceptable.

3.3. Determining an unavoidable complaint

When categorising a complaint as ‘unavoidable’, evidence should be referred to in the complaint notes about why the complaint has been categorised this way.

Sydney Metro can provide contractors with advice and guidance on the types of evidence that must be recorded in the community engagement database.

3.4. Resolving classification

If the Sydney Metro Project Communications team and the contractor cannot agree on a classification of unavoidable, the Independent Environment Representative may assist in classifying the complaint as it relates to the planning approval or commitments given to the community.

4. Responding to complaints

4.1. Receiving a complaint

Upon receipt of a complaint, the details will be recorded in the community engagement database. Accurate records will be maintained about when the complaint was received, how it was handled and what the outcomes of the complaint were.

Complainants may be informed in general terms of:

- The complaints processes and procedures that Sydney Metro will follow
- The likely timeframes for completing tasks relating to the complaint
- Sydney Metro’s responsibility in relation to the complaint and the complainant.

It is important to outline what is expected from complainants. Complainants must:

- Clearly identify their issues of complaint
- Provide all relevant information about their complaint
- Cooperate with any requests for information
- Act honestly
- Treat the people handling their complaint with courtesy and respect.

For complaints about on-airport works, Sydney Metro will notify Western Sydney International Airport.

4.2. Referring complaints

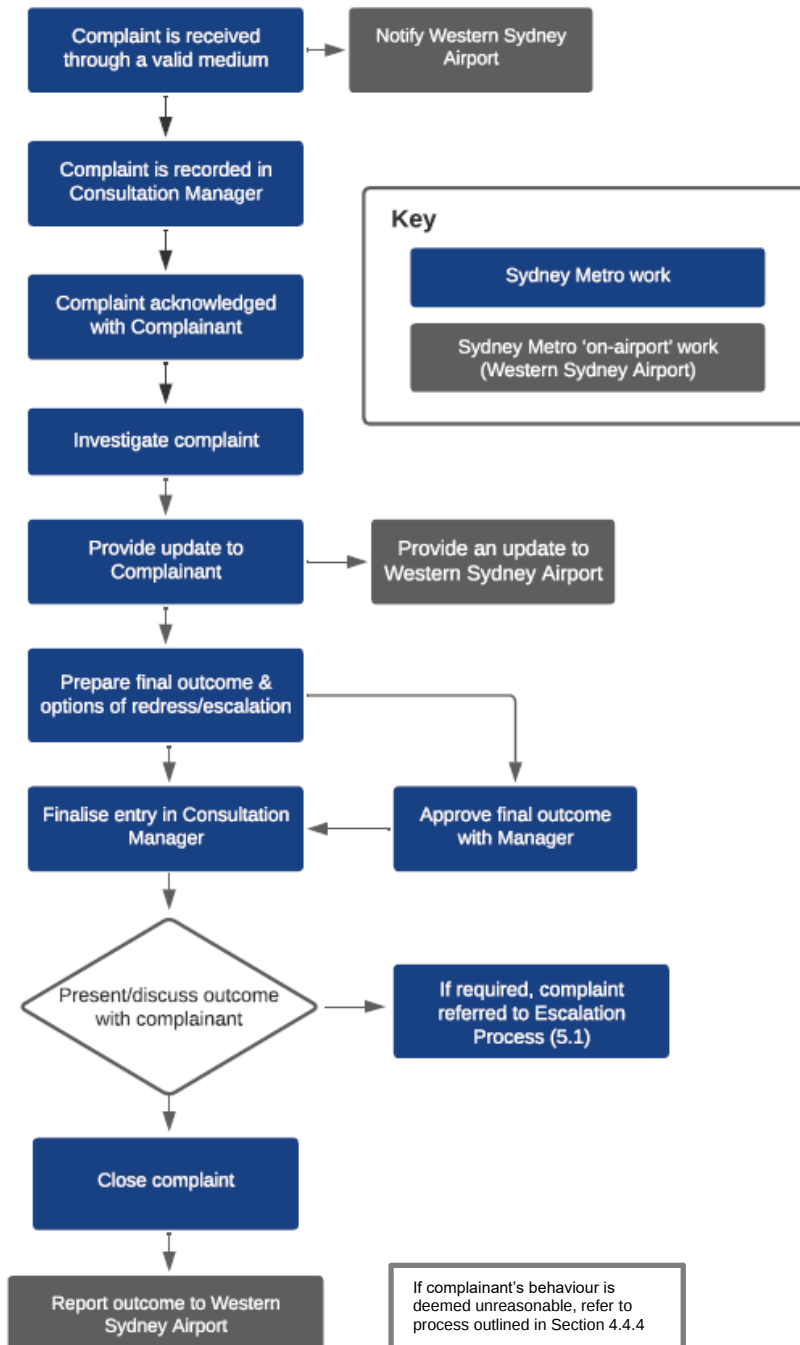
Regardless of how a complaint is received, it must be referred to the most appropriate agency as soon as it is received. The following table outlines the referral process:

Table 3: Guideline for referring complaints

Type of complaint	Description	Referred to
Early construction works	Complaint is about early works activities or the early works contractor	Place Manager, Early Works or contractor representative
Construction site specific	Complaint is about construction work, behaviour or activities at/or around a Sydney Metro construction site (except early construction works)	Relevant construction contractor representative
Overall project or government policy	Complaint about the need for the project, the projects procedures, the approval process, or TfNSW policy position	Sydney Metro Director, Project Communications
Media	Complaint has come via a member of a media organisation	Sydney Metro Director, Project Communications
Government or ministerial enquiry	Complaint has come via a member of a local, state or federal government body, government department or ministerial department	Sydney Metro Director, Project Communications
Unrelated to Sydney Metro	Complaint is unrelated to Sydney Metro	Relevant project representative (if known) or stakeholder advised complaint is not related to Sydney Metro's activities.
Precinct Planning	Complaint related to precinct planning around Sydney Metro station sites	Sydney Metro Senior Communications Manager
Relates to other TfNSW projects	Complaint is unrelated to Sydney Metro but relates to other areas of TfNSW or other TfNSW projects	Relevant area of TfNSW
Relates to NSW Government projects	Complaint is received by Sydney Metro that relates to other areas of NSW Government or NSW Government projects	Relevant area of NSW Government
Relates to Sydney Trains	A complaint received by Sydney Metro that relates to work being done by Sydney Trains in the same vicinity during a possession	Relevant area of Sydney Trains
Relates to Western Sydney International Airport	A complaint received by Sydney Metro that relates to work being undertaken by Western Sydney International Airport within the airport site	Western Sydney Airport International Project Communications
Relates to Sydney International Speedway operations	A complaint received by Sydney Metro that relates to operation of the Sydney International Speedway	Greater Sydney Parklands and Speedway Promotions

4.3. Responding to complaints

Responding to Complaints



4.4. Managing unreasonable conduct by complainants

Sydney Metro's process for managing unreasonable conduct by complainants is aligned with the NSW Ombudsman's guidelines as outlined in the [Managing Unreasonable Conduct by a Complainant Manual 2021](#). The following process is separate from *Responding to complaints* (Section 4.3) and *How to escalate a complaint* (Section 5.1.1) and will be implemented only when unreasonable conduct by a complainant has occurred.

Unreasonable, abusive and/or threatening conduct towards our staff and/or contractors will not be tolerated. Sydney Metro reserves the right to end conversations, either via phone, email or in person, if a complainant's conduct is endangering the health, safety and/or wellbeing of our people.

4.4.1. Defining unreasonable conduct by complainants

Unreasonable conduct by a complainant can be defined as any behaviour by a current or former complainant that, due to its nature or frequency, raises health, safety, resource or equity issues for relevant parties. The parties that may be detrimentally affected include:

- The organisation responsible for handling the complaint
- The person managing the complaint
- The person dealing directly with the complainant
- The person making the complaint and other complainants and services.

In accordance with the NSW Ombudsman's Managing Unreasonable Conduct by a Complainant Manual 2021, the types of conduct that may be viewed as unreasonable include:

- Unreasonable persistence – complainants sending excessive amounts of correspondence or persisting with their issues in an incessant manner and refusing to accept final decisions.
- Unreasonable demands – any demands, express or implied, that are made by a complainant insisting on outcomes that move the goal posts, are unattainable, or demand their complaint is dealt with in ways that would result in disproportionate impacts or substantial issues.
- Unreasonable lack of cooperation – an unwillingness to cooperate with our organisation, staff, or complaints system and processes. This may include providing disorganised, excessive or irrelevant information, being unwilling to consider other valid viewpoints or refusing to define their issues of complaint.
- Unreasonable arguments – any arguments that are not based in reason or logic, that are incomprehensible, false, inflammatory, trivial and refuse to accept other more reasonable interpretations.
- Unreasonable behaviour – conduct that is unreasonable in all circumstances, regardless of how stressed, angry or frustrated a complainant is, because it harasses, utilises foul or abusive language, or unreasonably compromises the health, safety and security of our staff, other service users or the complainant himself/herself.

4.4.2. Minimising unreasonable conduct by complainants

Sydney Metro will endeavor to minimise unreasonable conduct by complainants as much as possible by implementing the following strategies:

- Set clear expectations with staff managing complaints and ensure staff treat complainants fairly and respectfully
- Ensure staff managing complaints are trained in handling unreasonable conduct by complainants and are familiar with the process as outlined in the CCMS
- Establish ground rules about the conduct expected of complainants
- Clearly communicate the expected conduct to the complainant, when appropriate, including what staff can/cannot do, what communication is expected, who will be involved, the process and possible outcomes
- Record and report on all complaints and actions taken in response to unreasonable conduct by complainants

4.4.3. Determining unreasonable conduct by complainants

Sydney Metro Director, Project Communications will determine if the complainant's conduct is considered unreasonable as per the types of behaviour outlined in Section 4.2 of this document. Sydney Metro will consider the following factors prior to determining the complainant's behaviour as unreasonable:

- merit of issue/s raised
- impact/s on staff and/or contractors
- the complainant's circumstances
- the complainant's behaviour in proportion to the issue
- the complainant's responsiveness to the issue/s
- if conduct is unacceptable (such as aggression, violence, harassment and/or threats)
- whether personal boundaries with staff and/or contractors have been breached
- legislative requirements

If the complainant's conduct is determined as unreasonable by Sydney Metro Director, Project Communications, further strategies to manage the complainant's behaviour may be implemented. This may involve the implementation of communication approaches to manage the complainant's conduct and set boundaries around acceptable and unacceptable conduct.

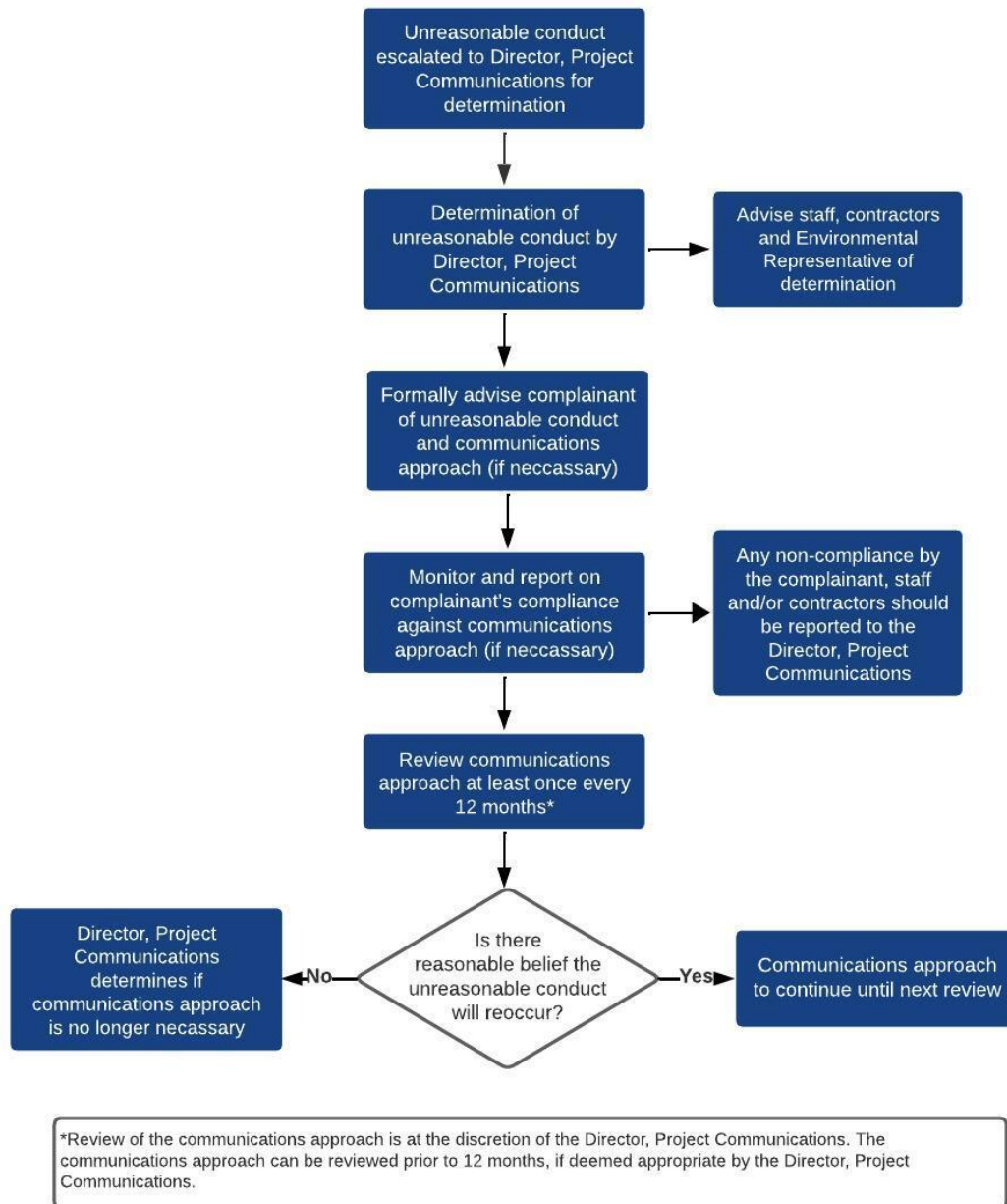
Should the complainant's conduct be serious, threatening or repeated on an ongoing basis and/or have the potential to jeopardise the health, safety and/or wellbeing of staff and/or contractors, Sydney Metro may deem it necessary to restrict contact with the complainant.

The decision to restrict contact would be determined by Sydney Metro Director, Project Communications.

The process for managing unreasonable conduct by a complainant is outlined in Section 4.4.4 of this document.

4.4.4. Managing unreasonable conduct by a complainant process

Process for managing unreasonable conduct by a complainant



5. Complaint escalation process

5.1. When to escalate a complaint

Complaints may be subject to an internal escalation process in circumstances when:

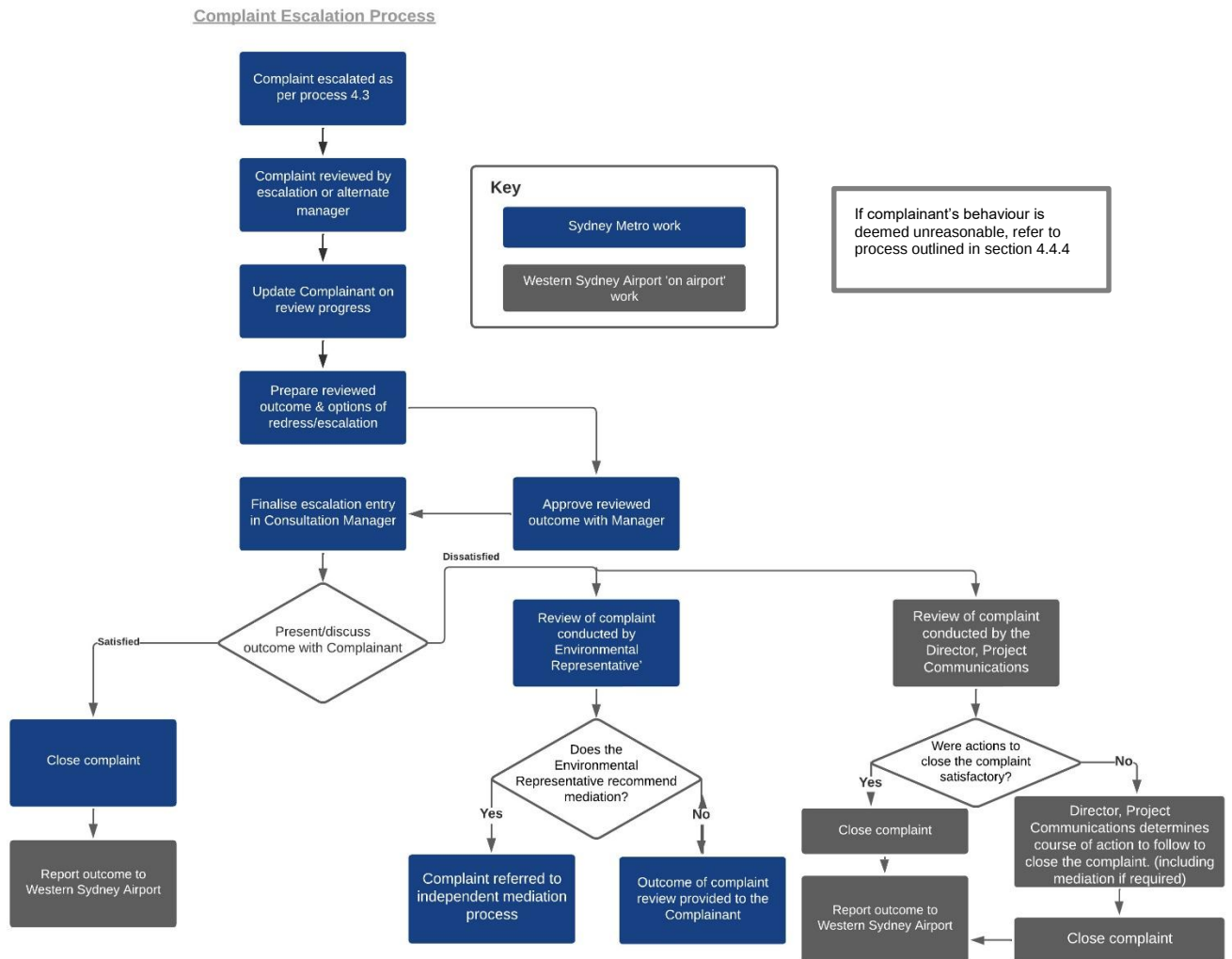
- The complaint cannot be resolved after following the 'Responding to complaints' procedure outlined in Section 4.3, within a reasonable timeframe
- The nature of the complaint falls into one of the following categories:
 - An activity generates three complaints within a 24-hour period (separate complainants).
 - Any construction site receives three different complaints within a 24-hour period.
 - A single complainant reports three or more complaints within a three day period.
 - A complainant threatens to escalate their issue to the media or government representative.
 - The complaint was avoidable.
 - The complaint relates to a compliance matter.

Complainants will work with Sydney Metro management representatives and any other internal or external subject matter experts with the view to working together to resolve their complaints.

The contractor is required to satisfy Sydney Metro representatives that considerations and recommendations have been implemented and all avenues available to them have been exhausted prior to seeking further escalation.

For on-airport works, if the complainant is dissatisfied with the outcome of their complaint, it will be escalated to the Sydney Metro – Western Sydney Airport Director, Project Communications for review. They will advise if the actions taken to address the complaint are satisfactory or if further action is needed before the complaint can be closed. Sydney Metro will inform Western Sydney Airport of the outcome of the complaint.

5.1.1. How to escalate a complaint



5.2. Role of Environmental Representative

The Environmental Representative will help the contractor and Sydney Metro teams resolve complaints as required, in accordance with this document.

Unresolved complaints may also be escalated to the Environmental Representative for an independent review of the complaint handling process and outcome.

The Environmental Representative would not consider issues such as:

- Property acquisition where other dispute processes are provided for

- Where clear government policy and associated resolution processes are available
- Where the matter is not within the scope of the project.

To undertake an escalated review, the Environmental Representative would:

- Receive a brief from the nominated Sydney Metro complaint management representative
- Review all complaint records
- Review any supporting technical data relating to the complaint – for example noise monitoring information.

The Environmental Representative would assess the adequacy of Sydney Metro's response to the complaint in accordance with this document and the project's planning and assessment process, in consideration of what is fair and reasonable.

Following this review the Environmental Representative would either make a recommendation to close the complaint and notify the Secretary or would provide recommendations for consideration by Sydney Metro on any additional actions that could help resolve the complaint.

The Environmental Representative may also refer any reasonable and unresolved complaint for independent mediation.

5.3. Role of independent mediation

In some circumstances, a complaint may be referred for independent mediation.

The role of independent mediation is to help facilitate communication between parties in conflict to help them reach a voluntary and mutually agreeable outcome to a dispute. It is acknowledged that the role of an independent mediator is to mediate and not arbitrate. A mediator can actively encourage and facilitate discussion to move toward an outcome, but they cannot order or decide an outcome for the parties.

Issues and complaint escalation to independent mediation would be at the recommendation of the Environmental Representative following a thorough review of the complaint information in consideration of the project planning and assessment process.

The Director, Project Communication may also refer a complaint to independent mediation at any point in the complaint management process.

Generally complaints requesting to change an approved project scope of works and/or works operating within project approvals would not be referred for mediation. A complaint would only be referred for mediation once.

An independent mediator would provide information about the mediation process during initial consultation. The process depends on the type of complaint, but may include;

- Establishing expectations about the expected behaviour and involvement of all parties
- Providing guidance, skills transfer and other services to help with any internal escalation mechanism

- Meeting with the complainant, Sydney Metro and the contractor team to understand concerns and help them reach a voluntary and mutually agreeable outcome.
- Seeking guidance from internal and external subject matter experts including, but not limited to, the Environmental Representative and/or the Acoustic Advisor (if required by project approval)
- Providing recommendations or next steps that clearly reflects the input provided by all parties.

Any independent mediator engaged by Sydney Metro would hold suitable qualifications, and have experience in mediating disputes of a similar nature.

In instances where a complainant remains unsatisfied, the Secretary will be advised.

5.3.1. Complaints related to compliance

Where a complaint relates to an actual or potential non-compliance with the planning approvals, Sydney Metro will undertake its own investigation, in accordance with program-wide procedures. This may involve the Environmental Representative. If a non-compliance is identified the details would be communicated to the Department of Planning, Housing and Infrastructure (DPHI).

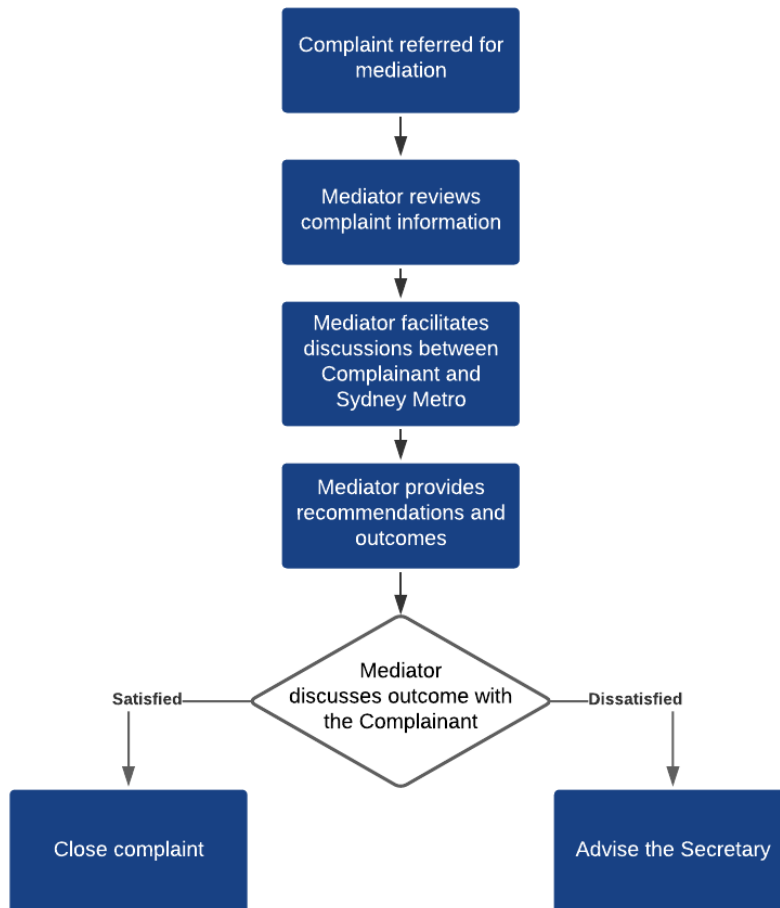
Additionally:

- Where there is a dispute between the Environmental Representative, Sydney Metro and third parties about a non-compliance not being appropriately investigated or managed, Sydney Metro will communicate this to DPHI
- Where there is a dispute about the independent complaint review process itself being non-compliant, Sydney Metro will investigate and advise DPHI accordingly.

DPHI may undertake its own investigations at its discretion. If DPHI receives information from a third party about a potential non-compliance, they may communicate this to Sydney Metro for further investigation.

5.3.2. How to refer a complaint to mediation

Complaints Mediation Process



6. Complaints Register

In accordance with project planning approvals, all complaints must be recorded on a complaints register. For Sydney Metro, complaints are recorded in the community engagement database. The Complaints Register will be provided to the Secretary upon request, within the timeframe stated in the request.

6.1. Complaint identification number

A unique identification number is assigned to each new complaint to help track the complaint in the community engagement database. This number is generated automatically when a new complaint is entered into the database.

6.2. Community engagement database

All complaints must be recorded in the community engagement database in accordance with the data entry procedure. This is necessary so that the complaint can be managed and the response times can be monitored. Contractors should use the template provided by Sydney Metro for data entry into the community engagement database.

7. Reporting on complaints

7.1. Reporting to Sydney Metro

Sydney Metro West contractors are required to report daily on complaints, providing complaint details for the previous 24 hour period - 12 noon to 12 noon - by 2pm each weekday. A daily complaint report will then be issued to selected Government and Project related representatives. Sydney Metro can request complaint reports to be issued as required, for example weekly rather than daily. All complaints should be reported on a monthly basis to Sydney Metro. Sydney Metro will provide contractors with details of the minimum reporting requirements and guidance about the content of complaint reports.

7.2. Reporting to the NSW EPA

Reporting requirements to the NSW Environment Protection Authority (EPA) are outlined in the individual contractors Environment Protection Licences.

Sydney Trains will report annually to the NSW EPA and include any relevant Sydney Metro information about its contractors who have worked under the Sydney Trains Environment Protection Licence during the reporting period.

7.3. Reporting to the DPHI

In accordance with project planning approvals, all complaints must be recorded on a complaints register that will be provided to the Secretary upon request, within the timeframe stated in the request.

7.4. Reporting on on-airport works

Sydney Metro will report on complaints received about on-airport works to Western Sydney International Airport.